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ABSTRACT

The National Task Force on Desegregation Strategies was established in 1977 to encourage State leadership to become involved in fostering integrated education. This report summarizes the findings and recommendations of the Task Force after three years of work. The Task Force identified three outstanding tasks that must be approached simultaneously in order to desegregate schools: the elimination of urban segregation through educational planning and housing policy, the extension of the States' responsibility for desegregation, and the development of new approaches to attack racial and ethnic bias. Nine proposals were made to assist States in carrying out their commitments to desegregation. They called for (1) clear policy directives, (2) commitment to policy, (3) understanding and using existing state policy, (4) encouraging Federal coordination of programs for urban integration, (5) financial and psychological incentives, (6) incentives to increase residential opportunities for minorities, (7) technical assistance, (8) monitoring and sanctions, and (9) public understanding and support. (Author/MK)

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State Leadership Toward Desegregating Education: A Positive Future

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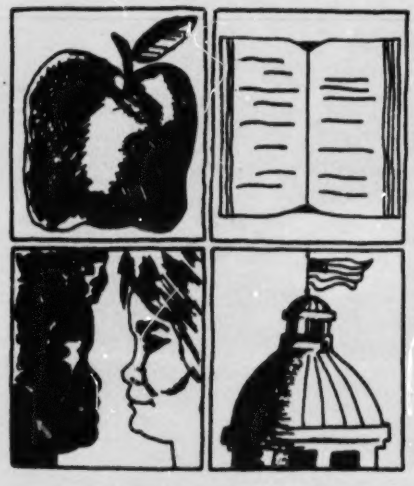

A REPORT OF THE NATIONAL PROJECT AND TASK FORCE ON DESEGREGATION STRATEGIES

Education Commission of the States
Council of Chief State School Officers
National Association of State Boards of Education

November 1980

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The National Task Force on Desegregation Strategies was appointed in 1977 by Otis R. Bowen, M.D., then Governor of Indiana and chairperson of the Education Commission of the States' Steering Committee, acting on behalf of ECS and the task force's two other sponsoring agencies, the Council of Chief State School Officers and the National Association of State Boards of Education. The task force is a racially and ethnically diverse group of state and local education officials, community and religious leaders, and nationally respected scholars, all of whom have extensive experience with school desegregation.

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FOREWORD

The National Task Force on Desegregation Strategies was established in 1977 to encourage state leadership to become involved in fostering integrated education. The task force has spent three years studying school desegregation, trying to discover the necessary tasks and to develop ideas of how best to complete them. It met with representatives of virtually every group in the nation that is especially concerned with this issue: state and local school board members and educators, state and local superintendents, representatives of the national educational community, teacher representatives, representatives of local community groups, parents, representatives of private education and academic researchers. It also conferred with officials from the former Department of Health, Education and Welfare's Office for Civil Rights; the U.S. Commission on Civil Rights; the National Institute of Education and officials from the Department of Education.

With the aid and support of its three sponsoring organizations -- the Council of Chief State School Officers (CCSSO), the Education Commission of the States (ECS) and the National Association of State Boards of Education (NASBE) -- the National Task Force on Desegregation Strategies has in the past three years:

- identified and described the essential components of an effective state role in fostering school desegregation;
- assessed the progress of the states against these goals and heightened the interest of state, federal and local officials in state-initiated desegregation efforts;
- generated policy commitments by state legislators, governors, chief state school officers, state board members and other state education officials; and
- established a network of state officials interested in developing state strategies for achieving desegregation and equal educational opportunity.

This final report represents a consensus among the members of the task force on the central issues and approaches for desegregation in American education with emphasis on effective state involvement. On behalf of the members of the task force and the project staff, I wish to express our appreciation for the sponsorship of CCSSO, ECS and NASBE and our gratitude for the funding provided by the Ford Foundation, the National Institute of Education and the U.S. Department of Education.

Francis Keppel

Francis Keppel
Chairperson
National Task Force on
Desegregation Strategies

November 1980

Although school desegregation has been a legal imperative since 1954 and is an educational necessity, significant numbers of black, Hispanic and white children are still being deprived of an integrated education. Moreover, equal educational opportunity, even in desegregated schools, is a matter of growing concern. Continuing segregation in the schools deprives all children of their constitutional rights and limits their opportunity to learn to live in a multiracial society and in a predominantly nonwhite world. The denial of equal educational access to opportunities to black and Hispanic youngsters has a direct impact on their chances for higher education and on their opportunities for making a contribution to society. This deliberate deprivation in turn weakens the nation's economy, its social fabric and its position in the world.

In recognition of the continued existence of segregation in American education, the National Task Force on Desegregation Strategies issued in 1979 a "Position Statement on Desegregation," initially stating: "School desegregation is right for America. But being right has not been enough to bring it about." This final report of the three-year study by the task force presents the combined views of the task force members on approaches to promote school desegregation and equal educational opportunity. The report indicates some of the essential findings of the task force relating to desegregation, discusses three outstanding tasks that need to be developed and implemented, and offers nine proposals for effective state commitment and action toward desegregation.

Essential Findings of the Task Force

During the three years of its study the members of the task force listened to and conferred with virtually every group in the country especially concerned with desegregation in education--including educators, school board members, parents, academic researchers and officials from the state, local and federal government. The following are their essential findings:

- Because desegregation affects almost every aspect of educational planning, more must be done to integrate the principles of desegregation into the state's planning, program and fiscal development.
- Desegregation requires a group of planners who are knowledgeable about the components of effective schooling and about the current realities and concerns that blacks, Hispanics and whites bring to the desegregation process.
- Under certain circumstances desegregation can reduce education costs at the local level through supplemental federal and state aid, which should provide a means to improve instructional programs and should result in a higher quality of education.

- Blacks, Hispanics and whites must participate in desegregation policy and program development and in all phases of implementation activity, if the process is to maintain legitimacy.
- States that become actively involved in the desegregation process are usually successful in accomplishing desegregation on a voluntary basis without court intervention. In fact, over 40 percent of the desegregation actions between 1954 and 1975 occurred as a result of state and local initiatives.
- Most of the authority needed by states to initiate desegregation activities already exists; however, confusion about the state role and lack of commitment often frustrates the effective use of this authority. Delegation of the authority to initiate desegregation activity to local districts does not relieve the state from meeting its responsibility.
- Private education can have a positive impact on desegregation in public and private schools through the development of multiracial curricula and through policies guaranteeing access to black, Hispanic and white teachers and students.
- More effort must go into extending some of the basic principles of desegregation to isolated white schools through providing access for faculty of various racial and ethnic backgrounds and through curriculum reform.
- Achieving desegregation and equal educational opportunity requires persistent national leadership.

Three Outstanding Tasks

As a result of the findings that were defined and developed, the National Task Force on Desegregation Strategies has reached a consensus on three outstanding tasks that must be approached simultaneously in order to achieve desegregation in American education. These include (1) the elimination of segregation in large urban areas through metropolitan-wide educational planning and through using housing policy to create integrated neighborhoods throughout these areas; (2) the extension of the states' historical responsibility for public education by their taking the initiative for desegregation, since that emphasis has diminished at the federal level; and (3) the development of new approaches to attack ethnic and racial bias and discrimination not only in education but also in housing, in employment and in other areas of society.

Elimination of Segregation in Large Urban Areas

Although a great deal of desegregation has occurred since 1954, the primary task of desegregating the large urban centers is still uppermost. In 1979 the U.S. Civil Rights Commission reported that the majority of black and Hispanic children in the large cities remain in racially isolated schools. A similar isolation, the effects of which are equally devastating, continues for the majority of white children who reside in the surrounding white suburban communities. Although many areas cannot be completely desegregated without metropolitan

planning, the maximum amount of immediately feasible desegregation should be quickly carried out within cities and suburban communities.

Another obligation is to develop and begin to implement long-term strategies to change the course of increased segregation in the nation's central cities and suburban communities. This will require a two-pronged approach: first, metropolitan-wide educational planning; and second, strategies for the residential opportunities throughout metropolitan areas.

Since these are long-term tactics, there will be many central city school districts that will continue to be composed predominantly of black and/or Hispanic children. Special attention should be focused on the quality of education being offered in these schools and school districts, which can and should become the educational show places of the nation. This is not an argument or an excuse for a return to the doctrine of "separate but equal." It is a recognition that black and Hispanic students attending schools not yet desegregated must have present access to an education that will allow them to acquire the essential skills and knowledge necessary for full participation in the marketplace. To accomplish this goal substantial improvement will be needed in financial support, in community school relations, in preparation of school staff, in the instructional program and in the school-to-work transition. Some of these changes should also be made in racially isolated white school programs to assure that children attending them acquire the awareness necessary to function effectively in a multi-racial society. The challenge presented by such schools should not obscure, however, the necessity for making desegregation schools models of equity and excellence.

New attention should be given to the expectations of black, Hispanic and white parents, and education policies and programs in all areas should be reviewed for their impact on desegregated student bodies. Disciplinary policies, for example, should be carefully scrutinized for freedom from bias; similarly, assignments to special education classes must be based upon nondiscriminatory placement policies. Preparation of staff must become a high priority area for development, and special efforts must be planned to integrate the schools' programs with the activities of business and industry in the communities where they are located. The quality of education being offered in <u>all</u> schools, whether desegregated or not, must assure that the needs of black and Hispanic students are being met, regardless of the racial composition of the schools they attend.

<u>Role of the States for Desegregation Leadership</u>

Despite the continuing commitment to desegregation by the federal judiciary, the task force believes that the states have an important role to play in accomplishing the means to achieve desegregation. Although the U.S. Supreme Court has reiterated its commitment to desegregation during the past year in cases involving school systems in Dallas,

Columbus and Dayton, initiatives by other branches of the federal government have slackened. The Justice Department has recently filed its first major desegregation case in many years, seeking a metropolitan remedy for segregation in Houston. The outcome of its negotiations with Chicago, which has been found in noncompliance with the Civil Rights Act of 1964, remains uncertain. The Office for Civil Rights, now a part of the new Department of Education (ED) is still hampered in its ability to enforce Title VI of the Civil Rights Act by congressional antibusing legislation. Moreover, the executive branch has yet to respond to the plea of numerous national leaders, on the occasion of the 25th anniversary of Brown v. Board of Education, to once again make the elimination of segregated education a national priority.

The original federal initiatives in school desegregation were undertaken because of a long record of state opposition, particularly in the South. However, as the federal civil rights enforcement effort has broadened, the emphasis on school desegregation has diminished. This diminution of initiative at the federal level lends a special urgency to the need for states to assume this role, which is a prerogative of their constitutional responsibility for public education. State constitutions, statutes and regulations give broad powers to state boards, state superintendents and state education departments to carry out the necessary functions to achieve desegregation. Indeed, not only is desegregation a part of the educational responsibility of the state government but successful elimination of desegregation is unlikely to occur without the states' full participation.

The participation of state officials will also be necessary for achieving desegregation in the large cities, which will involve educational planning on a metropolitan or regional basis. Similarly, providing equity and educational excellence in all schools is an educational problem, which state and local education are best equipped to solve. These goals will require clear policy directives and accountability standards set by state boards to be vigorously pursued by state superintendents and state education departments with the assistance of the local districts.

Voluntary participation by state governments appears to be no longer an option. Since 1977, when the U.S. Supreme Court first required Michigan to develop and share in the costs of remedial educational programs for Detroit, other federal courts have taken similar action. In Indiana the state superintendent of instruction was required to develop an inservice training program for suburban teachers to prepare them to teach more effectively in a multiracial setting. The cost of that program was assigned to the state. In California a federal district judge found that the use of IQ tests to place students in classes for the educable mentally retarded, which resulted in disproportionate numbers of black students being assigned to such classes, constituted segregation. State education officials were ordered to revise their

placement policies to eliminate such discrimination.

Recently, a federal district court judge ordered Missouri to design a metropolitan school desegregation plan for St. Louis and to pay one-half the cost of implementing the intradistrict plan for the coming school year. States, their education departments and their housing agencies have begun to be recognized by the courts as necessary parties to desegregation lawsuits. It seems likely that plaintiffs' lawyers will continue to name state officers and agencies as defendants in school desegregation cases in order to involve them in the remedies sought. Such involvement includes state funding for transportation and compensatory programs, state expertise and authority for designing and implementing educational changes and, in some cases, the use of state housing agencies for stimulating residential opportunities for minorities on a regional basis.

Those states that have voluntarily taken on extensive responsibility for desegregation have demonstrated that their efforts can make a difference. Illinois and Pennsylvania have achieved significant compliance with state desegregation policy directives in all but the few hardest cases. Massachusetts, New York and Wisconsin have demonstrated that state financial support for desegregation goals can have a significant impact. Often these efforts on the part of states have been accomplished through the forging of delicate coalitions among the policy boards, the state education agencies and the legislative and executive branches of state government. It is sometimes important to make every effort to broaden the desegregation issue to attract other potential allies. For example, the interest that spurs one legislator to act may be different for another. Despite the best of intentions, desegregation policies may have little chance for passage in and of themselves.

As the 1980s begin, the single most promising strategy for progress in school desegregation may well be that of state initiative. Of course the federal government should not abdicate its responsibilities. A full-scale national commitment to desegregation and to provision for equity and excellence in all schools will be required to complete a task about which the entire nation ought to be concerned. Nor should local governments and school districts abdicate their respective responsibilities. As the decade begins, however, the best hope for real progress lies with the states.

Development of New Approaches to Attack Racial Bias and Discrimination

Desegregation is often viewed as an isolated problem outside the scope of comprehensive state planning for education, but it is not an isolated task. It touches, and in turn is affected by, every aspect of educational policy, planning, management and evaluation. Nor is inequality in education an isolated problem. Discrimination in education feeds upon and in turn contributes to discrimination in housing,

employment and other areas of society. Consequently, while not ignoring the traditional tools for attacking discrimination in each of these areas, new approaches must be developed for attacking the larger problem of racial and ethnic bias and discrimination.

The federal government's civil rights enforcement programs are designed to treat each issue separately. Responsibility for enforcing anti-discrimination laws is divided among a number of different agencies, including most prominently ED, the Department of Housing and Urban Development (HUD), and the Equal Employment Opportunity Commission. Yet the problems themselves do not adhere to such neat dividing lines. The role of segregated housing, fostered by federal mortgage and loan programs, in contributing to segregated schools has long been recognized. Too often the federal courts have struggled to devise an effective desegregation plan, while other federal agencies continue to fund housing projects that reinforce residential segregation. Better cooperation among the federal agencies sharing the responsibility for civil rights enforcement could alleviate such problems; similarly, better coordination among administrators of federal grant and enforcement programs will be necessary in order to mount a concerted attack on urban and suburban segregation. States should advocate such efforts at the federal level and should make parallel efforts at the state level to encourage measures that result in desegregation.

Proposals for Effective State Commitment and Action

To assist states in carrying out their commitment to desegregation in education, the task force offers the following nine specific proposals as a blueprint for action. Some of these are time-proven tools, while others are recommendations for innovation. All suggest directions for state leadership that the task force is convinced are sound. Each state will have to review its own situation carefully to decide how best to utilize these proposals.

1. Clear policy directives. Both federal and state constitutions require equal treatment under the law. States that lack specific legislation should enact it. States with such legislation in place should develop implementing regulations, if these do not already exist. The National Project and Task Force on Desegregation Strategies' Profiles on State Desegregation Activity (1979) showed that 36 states had some type of policy or resolution supporting nondiscrimination, equal access to educational opportunity or school desegregation. Consideration should be given in addition to policies or legislation which would: (a) provide for regional educational plans with desegregation outcomes, (b) provide state funding and/or financial incentives to encourage voluntary cross-district efforts and (c) establish incentives for the development of outstanding minority schools in areas not yet desegregated.

2. Commitment to policy. Successful implementation of equal educational opportunity policies requires a commitment on the part

of state officials both within and outside of the education establishment. This commitment should start with the governor, who can contribute to desegregation by: (a) educating the public about the reasons for and the benefits to be derived from desegregation; (b) making desegregation a high priority item in the budget submitted to the state legislature; (c) in states where the state board and/or the state superintendent is appointed by the governor, appointing persons committed to the goals of desegregation; and (d) communicating to the federal government the state's interest in cooperating with federal agencies to achieve these goals. Equally important is the support of the state legislature, both in budget and in providing specific authority for achieving desegregation and equal opportunity goals.

3. Understanding and use of existing state authority. Governors, legislators, state executive departments, boards, and agencies should review the numerous powers available to them to promote school and neighborhood integration. Real estate licensing procedures, state revenue sharing with local governments, state highway construction decisions, incentives to and regulation of business, and countless other state functions can be utilized to promote residential integration. State, as well as federal, courts can be used to protect equal opportunity rights.

4. Encouraging federal government coordination of programs for urban integration. Currently, the federal civil rights enforcement machinery for education, housing and employment is divided among three separate agencies. Although administrative enforcement of civil rights is potentially far more effective than litigation, it could be vastly improved by better coordination among those agencies. A related problem is lack of coordination between federal civil rights programs, on the one hand, and grant programs, on the other. In too many instances, the civil rights machinery attempts to enforce compliance, utilizing the threat of withholding funds as a sanction, while another federal agency awards grants for related problems for state and local recipients. A concerted attack on the related problems of school and residential segregation will require significant improvements in both types of coordination. Such changes will not occur unless there is strong political support for them from the chief executive himself. A joint appeal to the President by the governors of the 50 states would be an effective way to make the states' viewpoint known. Although decisions regarding federal programs must be made at the federal level, states can encourage such coordination by offering to share the responsibility of enforcement of programs relating to desegregation and urban integration. Given the vast overburdening of the federal government in the civil rights area, it would make sense for federal authorities to welcome proposals for sharing some of these responsibilities with the states.

5. Financial and psychological incentives. State funding and incentive programs, when used in conjunction with additional mandatory measures, are a proven aid to school desegregation. Financial incentive legislation in Wisconsin encourages city and suburban schools to exchange students. In Massachusetts state reimbursement of transportation, new school construction costs and magnet school programs have been an effective supplement to court-ordered desegregation. Similar use of state funds to encourage desegregation has been made in Ohio and New York. Equally important are emotional and psychological incentives for desegregation. Identification of model integrated schools bolsters the efforts of students, parents, teachers and administrators who contribute to their success and encourages other schools to emulate them. Similarly, identification of effective schools in minority communities, in which desegregation is unlikely to occur in the near future, fosters pride in those schools and reinforces the efforts being made there. Both Boston and Hartford have successfully employed a different type of psychological incentive by developing city schools and programs that attract suburban students.

6. Incentives to increase residential opportunities for minorities. State standards for desegregation strongly ought to encourage the adoption of plans that offer incentives for residential integration by exempting naturally integrated neighborhoods from plans for pupil transportation. Such an exemption could be used to encourage a white suburb, for example, to cooperate with HUD in locating public housing within its borders or in seeking to attract to its community black or Hispanic families taking advantage of other HUD programs. Most states have an agency with some type of responsibility for fair housing. To achieve urban integration, however, that goal will have to be raised to a new, higher priority. Many state agencies' activities affect residential patterns. States that are serious about urban integration should as a first step set up a special state office or task force to coordinate the effort. Such an agency should review the impact of all state activities on housing patterns and develop a plan for coordinating those activities with the state's urban integration policy. Such an effort will require commitment by the highest state leadership to the goal of urban integration. In addition, the legislature ought to explore ways of providing authority and incentives to local school districts, governments and fair housing groups to work cooperatively toward achieving school and residential integration.

7. Technical assistance. Technical assistance is a familiar and proven strategy for facilitating effective desegregation. As the concept of desegregation broadens, the scope of technical assistance activities must expand as well. Such assistance should be directed at problems that occur at every stage of the desegregation

process and in every part of the educational experience. Of course the effectiveness of the services rendered and the receptiveness on the part of local districts to such aid depend largely on the quality of assistance available. It is the responsibility of the state department and the state legislature to insure that a high quality of assistance is readily available to teachers, administrators and school staffs, as well as to other local officials.

8. Monitoring and sanctions. In addition to providing technical assistance to desegregating school districts, state education departments and other state civil rights agencies (e.g., human relations commissions) should monitor compliance by school districts with state equal educational opportunity standards. These agencies must be adequately equipped by the legislature with sufficient funding and personnel resources and with legal sanctions for noncompliance. Further, these agencies must be prepared to exercise the sanctions available and must have the support of the state board, state superintendent, the governor and the state legislature.

9. Public understanding and support. The most certain way to build confidence in the school desegregation process is to involve citizens in it. This can be done through advisory councils and community education programs and many other means. Among the first fruits of such efforts will be a revived public awareness of the benefits of desegregated education. This must be coupled with a straight-forward appeal to dispel those myths and half-truths that have developed and that cause fear, confusion and sometimes vehement resistance to school desegregation. State programs aimed at improving public understanding and gaining public support should particularly focus on two groups that have generally been overlooked in school-community relations: minorities and people with nonschool-age children. Of course the support of all community groups and institutions should be sought, including business, labor, civil rights, church and other such groups.

Most of these strategies will require little if any additional financial support. However, the National Task Force on Desegregation Strategies urges each state to provide the appropriate resources, including financial aid if needed, to: (1) examine its current priorities and programs with respect to their impact on desegregation and (2) develop its own comprehensive plan for achieving desegregation, equity and excellence in its schools. The task force further calls upon the public and private leadership of this country--at federal, state and local levels-- to support this state effort.

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